

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. E-100, SUB 190

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	
Biennial Consolidated Carbon Plan and) ORDER REQUESTING COMMENTS
Integrated Resource Plans of Duke Energy) ON REQUEST FOR DEVELOPMENT
Carolinas, LLC, and Duke Energy) OF SUPPLEMENTAL PORTFOLIOS
Progress, LLC, Pursuant to N.C.G.S.) AND ADJUSTMENT TO
§ 62-110.9 and § 62-110.1(c)) PROCEDURAL SCHEDULE

BY THE PRESIDING COMMISSIONER: North Carolina General Statutes Section 62-110.9 (Carbon Plan Statute) directs the Commission to take all reasonable steps to achieve a seventy percent reduction in emissions of carbon dioxide in the State from electric generating facilities owned or operated by Duke Energy Carolinas, LLC (DEC), and Duke Energy Progress, LLC (DEP; collectively, Duke), from 2005 levels by the year 2030 and carbon neutrality by the year 2050, subject to certain discretionary limitations. In accordance with the Carbon Plan Statute, the Commission issued an Order Adopting Initial Carbon Plan and Providing Direction for Future Planning on December 30, 2022, in Docket No. E-100, Sub 179 (Initial Carbon Plan). The Carbon Plan Statute directs the Commission to review the plan every two years after the adoption of the Initial Carbon Plan. The Initial Carbon Plan provided for the consolidation of the Carbon Plan and integrated resource plan (IRP) processes (CPIRP, as consolidated) and required Duke to file its first proposed biennial CPIRP by no later than September 1, 2023.

On March 15, 2023, the Commission opened this docket for the purpose of hearing the 2023 CPIRP proceeding. On August 17, 2023, Duke filed a verified petition seeking the Commission's approval of its proposed 2023 CPIRP. On September 1, 2023, Duke prefiled direct testimony and exhibits of witnesses in support of its verified petition and proposed 2023 CPIRP.

On November 20, 2023, in Docket E-100, Sub 191, the Commission issued an Order adopting Commission Rule R8-60A which governs CPIRP proceedings. Material to this order, Commission Rule R8-60A(g) establishes the procedural schedule for the Commission's review of proposed CPIRPs. Particularly, Commission Rule R8-60A(g)(2) requires the Public Staff and intervenors to file testimony and exhibits of expert witnesses commenting on, critiquing, or giving alternatives to the electric public utilities' proposed CPIRP by no later than 180 days following the later of either September 1 or the filing of the electric public utilities' CPIRP. For the purposes of this proceeding, intervenors' deadline is February 28, 2024. Further, Commission Rule R8-60A(g)(3) requires Duke to file rebuttal testimony and exhibits of its expert witnesses no later than 45 days after the filing of intervenor testimony and exhibits. For the purposes of this proceeding, Duke's rebuttal

testimony deadline is April 15, 2024.¹ Finally, Commission Rule R8-60A(g)(4) provides that “[t]he Commission shall schedule an expert witness hearing to review the CPIRP proposals beginning on the second Tuesday in May following the electric public utilities’ proposed CPIRP filing.” In 2024, the second Tuesday in May is May 14; however, the Commission has not yet issued an order scheduling this matter for expert witness hearing.

On November 30, 2023, Duke filed the supplemental direct testimony of Glen A. Snider which notified the Commission of substantial and material changes in Duke’s load forecast since the preparation of its proposed 2023 CPIRP (Updated 2023 Fall Load Forecast). Duke noted that its proposed 2023 CPIRP relied on a Spring 2023 load forecast that was finalized in the first quarter of 2023. Since that time, Duke’s North and South Carolina service territories have experienced significant economic development, which is above Duke’s historical experience, warranting an update to its proposed 2023 CPIRP.

On December 18, 2023, Duke filed a letter notifying the Commission of its intent to perform limited supplemental modeling and to submit additional portfolio analysis and supporting testimony in this proceeding based on the Updated 2023 Fall Load Forecast by January 31, 2024. Further, Duke proposes a modified procedural schedule to provide the Commission and all parties more time to assess the impact of the Updated 2023 Fall Load Forecast and other updated assumptions included in the planned supplemental modeling. More particularly, Duke requests that the Commission extend the deadline for the Public Staff and intervenors to file direct testimony and exhibits to April 17, 2024; for Duke to file rebuttal testimony to May 31, 2024; and that the Commission delay the start of the expert witness hearing to June 17, 2024. Finally, Duke’s letter notes that while the Public Staff supports the proposed procedural schedule, numerous other parties to the proceeding have indicated their objections to Duke’s proposed procedural schedule as well as Duke’s intention to file supplemental modeling and testimony.

In consideration of the foregoing, the Presiding Commissioner finds good cause to request comments from the parties on (1) Duke’s planned supplemental modeling, additional portfolio analysis, and supplemental testimony, and (2) Duke’s proposed procedural schedule.

IT IS, THEREFORE, ORDERED as follows:

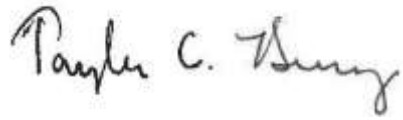
1. That parties may file comments limited to (1) Duke’s planned supplemental modeling, additional portfolio analysis, and supplemental testimony, and (2) Duke’s proposed procedural schedule on or before January 3, 2024; and

¹ Forty-five days from February 28, 2024, is Saturday, April 13, 2024. Commission Rule R1-27 provides that “when the last day of any such period falls on Saturday, Sunday, a legal holiday under the laws of this State, or a day on which the offices of the Commission for any reason are not open for business, the computation of time shall omit such day and begin on the first day thereafter which does not fall on any such day.”

2. That Duke may file its responsive comments on or before January 9, 2024.

This the 20th day of December, 2023.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in dark ink, reading "Taylor C. Berry". The signature is written in a cursive style with a large initial 'T' and a stylized 'B'.

Taylor C. Berry, Deputy Clerk